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A  
COLLECTION  
OF *4105.6.*  
PAPERS,

DESIGNED TO  
EXPLAIN and VINDICATE  
THE PRESENT  
MODE of SUBSCRIPTION  
REQUIRED BY  
The UNIVERSITY of OXFORD,  
FROM ALL  
YOUNG PERSONS at their MATRICULATION.

O X F O R D,

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COLLECTION

PAPER

EXHIBIT

NO. 1

THE UNIVERSITY OF CHICAGO



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**T**H E Question concerning the present Mode of Subscription, required by the University of Oxford, to be made by all young Persons at their Matriculation, is of so important a Nature,—the hasty Conclusions that have too generally taken Place to the Discredit of the University,—and the publick and peremptory Demand of an Alteration,—make it necessary to lay the State of the Case before the Publick. The Papers which now appear have been already offered to the Consideration of the Members of the University; some Things only being omitted, which have no direct Concern with the Point in Debate, and some Alterations and Additions being made, to set the Matter in a still clearer and stronger Light. The principal Arguments made use of by the Favourers of an Innovation will be easily collected from the following Papers. Nothing more need be observed, than that the Substitution by them recommended is “ either a verbal or written Declaration that  
“ the matriculated Person will conform to the  
“ *Worship* of the Church of England.”







## T H E Case Stated and Considered.

**T**H E two Universities were instituted as Places of Education for the Youth of this Kingdom, to qualify them for the Service of their Country, in Church and State, as by Law established.

The Nature of their Constitution, the Statutes which are founded upon it, and the established Modes of Discipline to be observed in them, do evidently prove, that they were intended only for the Education of Members of the Church of England.

That no Papist, or Sectary of any kind, might gain an Admission into this University, the Wisdom of our Protestant Ancestors thought it expedient, for the greater Security of this Reformed Church as by Law established, to provide a Test of the Religious Principles of the Persons to be admitted into it.

This Test, which has been required and submitted to for near Two Hundred Years, consists in a Subscription to the Thirty-nine Articles, which contain the Doctrines of the Church of England. And all Persons of Twelve Years of Age and upwards are required to subscribe to them at their Matriculation.

The Question is, Whether this Test ought to be *retained*, or *abrogated*, or *altered*?

If

If it be totally *abrogated*, the Constitution, Order, and Discipline of the University will be fundamentally changed. It will be laid open to Persons of all Religious Persuasions, who will be at Liberty to act agreeably to their Persuasions, so far at least as they can plead Conscience in their Behalf. If any one cannot conscientiously join in the Service of the Church, he will say, that it would be wicked in *Him* to violate his Conscience, and in *You* to require it. Thus the University will become a Seminary of Schism, which it was designed to prevent; and will put Arms into the Hands of Persons, who will use them offensively against the Established Church, which their Institution requires them to guard and defend.

If the Test is proposed to be *altered*, it will be right first to consider, Whether any such Objection may be made to it, as may not be removed to the Satisfaction of every candid and reasonable Mind.

No reasonable Man who has taken the Matter into Consideration can think, that a Subscription to the Articles required of Persons who have attained the Twelfth Year of their Age, can be meant to require a formal and explicit Assent to the Sense of the Doctrines contained in them, when they are not so much as required to have read them; or that it carries in it an Obligation that they should never dissent from any of them, should they hereafter see Reason for it, when they should have Abilities to understand and judge of them. It never meant any more, nor was it ever understood to mean

mean any more, than that it was a Declaration of the Person subscribing, that he was a Member of the Church of England, and, as such, would conform to the Worship and Discipline of it. All that he is supposed to know of the Doctrines is, that they are the Doctrines of the Church of which he has been educated a Member; and that for the Present, he *acquiesces* in them as such, suspending any farther Judgment of them, till he shall be better able to examine them.

All this the matriculated Youth may very well understand, and submit to with a safe Conscience; it requiring no more than a Persuasion, which he certainly brings with him, that the Church he has been educated in has no Design to impose upon him, or lead him astray.

If any Thing more is requisite to put this Matter in its true Light, in which it has been seen and approved for Two Centuries past, by as learned, religious, and conscientious Men as ever lived, let an Explanation of this Kind be inserted in the Statute Book, in the same Manner as the *Epinomis* of Bishop Saunderson is, in respect to the Oath of Obligation to observe the Penal Statutes.

If such an Explanation is not satisfactory, and some Test is still thought necessary at the Time of Matriculation, to be required by the University, in Conformity to the Design and Nature of its Institution, What other Test can be proposed? I can think but of Two Ways of *Substitution*.

The



The one is, That the young Scholar be required to make a *Declaration* that he is a Member of the Church of England, which supposes an Acquiescence in its Doctrines; and that he will conform, during his Residence in the University, to the Rules and Discipline of it, as by Law established.

The other is, That his Tutor shall stipulate for him, in the abovementioned Particulars.

As to the former, I see no Difference betwixt the Mode of *Declaration*, and that of *Subscription*, as before explained. The Obligation is the same whether it be made *vivâ Voce* or *in Scriptis*.

As to the latter, the *Declaration* or *Subscription* must be as obligatory upon the Pupil, as if they were made by himself; otherwise, they have no Meaning at all, but must be downright Chicanery and Prevarication.

Degrees, in the ordinary Dispensation of them, were never intended to be bestowed by the University but upon Members of the Church of England; no other Persons being capable of being Members of the University. Those indeed, who are capable of Degrees, are supposed to have read its Articles, and to understand the Doctrines of them. And if any one thinks that any of them are not reconcileable, by a fair and reasonable Interpretation, to the essential Faith of a Christian, though he may be an outward Conformist, he is, in Truth, no real Member of the Church of England as by Law established. And this he declares, if he withholds his Subscription to them. But if the University

University takes upon itself to annul it in its present Mode, it will be a tacit Acknowledgement on her Part, that the long-established Subscription is indefensible, and the University must no longer be considered as a Seminary for Members of the Church of England only.

And even supposing that our Articles want Revival, Explanation, or Amendment, (which, whenever it is attempted, must be the Work of very wise and learned Men, performed with great Caution and Circumspection) why is it expected that the Universities should take the Lead in satisfying the Scruples of the present Times? Why are not their Consciences to be respected as much as other Peoples? And if this University is persuaded, that no *Alteration* ought to be made in the present Test, but what will leave the Purport and Meaning of it just the same as it now is, and that the total *Abrogation* of it is absolutely inconsistent with the very Nature and Design of its Institution, it is nugatory to require the one, and must be unreasonable and unjust to require the other.

## The CASE farther Explained and Considered.

**T**HE Design of the Author of *the Case of Subscription*, &c. was to vindicate the Establishment and Continuance of the present Mode of Subscription, upon the only Principle, as he apprehends, which can vindicate either. The Explanation upon which the Vindication rests is not his own: He received it from his Tutor, and always communicated it to his Pupils before their Matriculation.

He had Reason to suppose, that Persons abroad did not see the Thing in its true Light. He endeavoured to represent it in such a one, as might not only screen the University from the Reproach of an absurd and arbitrary Conduct, in requiring from young People a formal Assent to the Truth of Propositions which they knew it was impossible for them to understand; but to undeceive those who might think, without further Reflection, that we required such an Assent. He knows his Attempt has satisfied some reasonable and respectable Men, who are Friends to the University.—He never expected it would satisfy its Enemies. He thought it might furnish an Argument of Defence to those who might be willing to favour us with their Protection, by which our Censurers might see that our  
Practice



Practice was not so indefensible as they imagined.

Was the projected Mode of Substitution to take in a *Declaration* of the matriculated Person's *Acquiescence* in the *Doctrines* of the Church of England as well as *Conformity* to its *Worship*, he could have no Objection to it, as it differs not from the present Mode of *Subscription* rightly understood. But the Omission of such a Declaration greatly alters the Case. A Conformity to the *Worship* of our Church gives no certain Security that the Person who conforms is a Member of the Church of England. Not only Dissenters but Papists have made no Scruple to go to Church, and that for many Years. Bishop Burnet tells us, in *the History of his own Times*, that King James II. during the Life of his first Wife, Lord Clarendon's Daughter, not only went regularly to Church, but even received the Sacrament, though nobody doubted of his Religion all the while. But suppose there were no Objections to the *Declaration* considered in itself, yet there *may* be Objections to it considered in its Consequences.

The Attack upon our Subscription took its rise from that which was made upon the whole Body of the Articles. The Church of England was not to be taken by *Storm*; our Adversaries have a Mind to see what they can do by *Sap.* They are first to get the University to acknowledge, that they have been very wrong in requiring from young Persons, at their Matriculation, an *Acquiescence* in, for

I can never call it an *Assent* to, the Doctrines of the Church, into the Faith of which they were *baptized*. This will not satisfy. The next Step will be, to exempt all, who are to take Degrees, from the Obligation to subscribe the Articles, except perhaps, for the present, Degrees in Divinity; by which means, Persons of any or no Religion, may have a *Claim* to the Honours of the University, in direct Contradiction to the Nature of its Constitution, and all the Principles of its Polity. The Sense of the University will afterwards be brought as an Argument for totally abolishing a Subscription, which they have acknowledged to be indefensible, as intolerable to the Consciences of *many*; and therefore is a Grievance that ought to be removed from the Consciences of *all* who feel the Weight of it. This Chain of Consequences is not improbable, if we consider the Principles and Designs of our Reformers.

## Farther REMARKS.

**T**H E Author *of the Case, &c.* would not have presumed to have troubled his Readers with any Thing more about the Subscription, had he not thought the Credit and Honour of the University particularly concerned in having right Notions ascertained as to the Meaning and Intention of the present Mode of Subscription. The Writer of the *Considerations* having over and over again insisted upon an indefensible State of the Case, he thought himself under a Necessity of appearing in Print once more.

The *Considerer* has expressly charged the Governors of the University, for near two Hundred Years past, down to this very Day, with having required from young Persons, at their Matriculation, a *formal Assent to the Truth of a Variety of Propositions of profound Argument, and of a mixed Nature, Historical, Theological, and Metaphysical*, which they knew it was impossible for them to understand. And yet he is so indulgent as to wish, *that this Practice might have continued without Impeachment for many hundred Years more.* Now on the contrary, I do aver, that if this had been their Intention, they have all along been the most unreasonable, absurd, and iniquitous Set of Governors that ever lived; and the  
Practice



Practice ought not to have obtained for a single Day.

He supposes that if such an Assent is not required, the Subscription has an Air of Prevarication and Chicanery; and others who are required to give a formal and positive Assent to the Truth of the Doctrines contained in the Articles, may be encouraged to persuade themselves that no more is required of *them* than of young People at their Matriculation. But surely all Subscribers are required to make their Subscription according to the Intention of those who require it. What the Intention of the University is, and how materially it differs in these two Cases, will appear from the following Paper, which has settled the Point in so clear and decisive a Manner, as to leave no Room for a Doubt.

A Vindication of the Test, in its present Mode, from the plausible Objections that have been raised against it.

**I**T hath been artfully thrown out by the avowed Enemies of the Church of *England* as now established, that the Subscription to it's Articles required by this University at Matriculation is a scandalous and unjustifiable Imposition on mere boys, who cannot in Reason be supposed qualified to judge of the Sense of them.-----Many steady Friends to the Church and University have been startled at the Plea; and thinking it a Practice altogether indefensible, are therefore, in the true and candid Spirit of the Church of *England*, zealous for the Alteration of it.---But before we allow the Charge, let us see whether it doth not rest on a mere Mistake.----The Wisdom of Ages ought not in Justice to give Way suddenly to every seeming Difficulty.

All the Arguments hitherto urged in Favor of an Alteration of the present Mode of Test at Matriculation, depend on a Supposition, that by this Subscription the University requires an actual positive Assent to the Truth of the Doctrines contained in the xxxix Articles.

If this were really the Case, the Objections are unanswerable, and a Test of another Kind ought to be substituted in it's room.--But if it  
appear

appear that no such Assent either is, or ever was intended to be required by the University, then the present Mode is not affected by any Arguments yet urged against it.

I presume it will be universally granted, that in whatever Sense the University requires this Subscription, in that Sense and no other, the Subscription is made.

From the Manner of Proceeding at the Admission of a Scholar we may fairly collect in what Sense the University actually does, and always did, consider it.----The Scholar before he is admitted is required to subscribe the xxxix Articles, but simply, without any Formula expressive of *Assent* to the Truth of the Doctrines contained in them.----He is not even required to have read them.----And his Tutor is enjoined by Statute to instruct him in the Sense of them, Tit. III. § 2. “*Tutor*  
“ *verò Scholares Tutelæ & Regimini suo com-*  
“ *missos probis Moribus imbuat, & in probatis*  
“ *Authoribus instituat; & maxime in Rudi-*  
“ *mentis Religionis, & Doctrinæ Articulis in*  
“ *Synodo Lond. (anno 1562) editis: ac pro*  
“ *virili suo Disciplinæ in Ecclesiâ Anglicanâ*  
“ *publicè receptæ eos conformes præstabit.*”

This last Circumstance proves to a Demonstration that the University does not suppose the Scholar already fully informed in the meaning of the Articles, and therefore cannot (without a Contradiction too gross to be suspected in an Institution with any Pretensions to Wisdom) be supposed to require a full  
and



and entire Assent to what it owns it does not imagine him to comprehend.

And if this Subscription does not imply an entire Assent to the Truth of every Proposition contained in the Articles, it can necessarily imply no Assent at all. For to say that it is an Assent as far as the Scholar understands them is to make it no Test, unless an Acquiescence in the rest which he does not understand be also implied. And if an Acquiescence be allowed sufficient for a Part, it is equally so for the Whole. There is therefore no Medium; this Subscription must either mean an entire Assent, or merely an Acquiescence. That it cannot mean an entire Assent is already proved; an *Acquiescence* then is all that is, or ever was intended.

It may be asked, what Right the University has to understand Subscription, in this Instance, in a different Sense from what it is allowed by general Consent, and by the University itself, to have in every other Instance. Is not this a dangerous Doctrine, full of Chicanery and double dealing, and subversive of all Subscription to any good Purpose?----By those who ask these Questions it is taken for granted that a bare Subscription, of Necessity can imply no less than an entire Assent to what is so subscribed.----Now this is certainly not true in all Cases.----I might instance in Affairs of common Negotiation in civil Matters. But it will be sufficient to the present Purpose to show that there is no Instance in which the xxxix Articles are subscribed where an Assent

is intended to be required. but what that Assent is expressed in Terms, and not supposed to follow from the mere Subscription.

How is it in the University? — When the Matriculated Scholar becomes a Candidate for a Degree, he is again required to subscribe the 39 Articles; and moreover the three Articles of the 36th Canon, which includes an Allowance of the xxxix Articles, and an Acknowledgment that they are agreeable to the Word of God.

And this Subscription was \* originally made, not simply, but in the following Form: —

“ *Ego A. perleētis prius vel ab alio coràm me*  
 “ *recitatis Orthodoxæ Fidei & Religionis Arti-*  
 “ *culis xxxix in sacrâ Synodo Lond. habitâ*  
 “ *A. D. 1562 constabilitis; simulque tribus*  
 “ *Capitibus in aliâ Synodo Londinensi sub An-*  
 “ *num 1604 decretis & in Canone 36to re-*  
 “ *daētis sciens volensque ex animo subscribo.*”

And the Person who presents is also required to attest that the Candidate hath read, or heard read, the Articles to which he hath subscribed. — In this Case the University certainly intends to require a full and entire Assent; and has a good Right to do it, having before provided proper Means of Instruction. The Assent is clearly expressed; and all pos-

\* This Formula was decreed by Convocation in the Year 1616, but not incorporated into the present Body of Statutes. And indeed it would be superfluous, as the three Articles of the 36th Canon are in a declaratory Form, and amount to the same Thing. These Articles are not only subscribed, but actually read by the Candidate, at the Time of his Presentation.

fible Caution taken that it may not be given in a thoughtless and precipitate Manner.

How is it in Subscriptions not merely Academical?—No Man ought to be admitted either to the Order of Deacon or Priest, unless he first subscribe to the xxxix Articles. Stat. 13 Eliz. c. 12. — This simple Subscription is all that is required for Deacons Orders; and need imply no more than a mere Acquiescence. But if a Deacon take upon him, or be licensed, *to preach*, he can maintain nothing contrary to the Doctrine of the xxxix Articles, on Pain of Deprivation, unless he recant. Stat. 13 Eliz. c. 12.

But the Case is different with Respect to a Priest, of whom positive Profession is required.

“ *No Bishop ought to make any Deacon a Priest, unless he first bring to the Bishop, from Men known to the Bishop to be of sound Religion, a Testimonial both of his honest Life and of his PROFESSING the Doctrine expressed in the Articles of Religion agreed upon by a National Synod in the Year 1562.*” Stat. 13 Eliz. c. 12.

At Institution to a Benefice with Cure of Souls, the instituted Person ought to subscribe the Articles before the Ordinary by his own voluntary Act; and when he takes Possession of his Benefice, he is obliged by Law to read the Articles in the Church, and declare his *unfeigned Assent* to them.

Hence I conclude, that whenever an *Assent* to the Articles is intended to be required, it is always expressed.



It is also evident from what hath been said, that by the simple Subscription at Matriculation the University can understand nothing but a mere Acquiescence.

An Acquiescence is the least Security the University as a Seminary for the Church of *England* can possibly require; and such a Test cannot be a Burthen to the Conscience of any who take it; and can exclude none but such as it is the Duty of the University to exclude.

It is further evident, that by so understanding it, the University does not adopt a singular or unwarranted Notion of Subscription, or by any Means countenance the Subscribing in various lax and indeterminate Senses, where an Assent is required.

## A RECAPITULATION.

THE Affair of the Subscription has been much agitated. I have considered what has been said on all Sides; and I hope it will not be thought impertinent, if I State the Case according to my Notions of the Debate, without presuming to direct the Judgment of others.

The following Positions strongly oppose any projected Alteration.

The University has a *prescriptive Right* to the present Mode of Subscription, having exercised it for near two Hundred Years.

It cannot be presumed that so learned a Body would have instituted and continued a Practice, *unwarrantable, arbitrary, and absurd*.

The only Construction that can make it otherwise is, that they had no farther Intention in requiring a Subscription to the Articles from young Persons at their Matriculation, than that they should declare their *Acquiescence* in the Doctrines of the Church of England, which all the Members of it, of whatever Degree, who do not give *any formal or explicit Assent* to them, are supposed to *acquiesce* in.

This their *Intention* has been made to appear so fully, that there cannot remain any reasonable Doubt about it.

There

There have been no evil Suspicions, no Uneasiness in this Place, arising from the Continuance of the Practice. It has generally been looked upon as a proper Method to secure the Interests of the Church England, which the Nature of our Constitution requires us to guard.

Any Alteration of the Practice might seem to carry in it a Reflection upon the Wisdom and Piety of our Predecessors for having *established* it, and an Acknowledgement of the Want of them in ourselves, for having *continued* it.

It may be apprehended, that such a supposed Acknowledgement may operate so as to affect very materially the Articles of our Church, there being too much Reason to think that the Outcry against the University Subscription arises more from a Dislike to the Articles themselves than from a tender Concern for the Consciences of our Youth.

If the Subscription is defensible upon Principles that want only to be made known to gain the Approbation of all reasonable and true Members of our Church, why should we not maintain our Ground? What more have we to do to prevent Mistake and to silence Clamour, but to insert a proper Explanation of the Meaning of the Subscription in the Book, wherein the young Men write their Names, and read it to them at their Matriculation.

There is a Question revived, whether the University has a Power to alter any of its Statutes



Statutes. I enter not into the Dispute. But one observation, I think a material one: There is a great Difference betwixt altering Statutes that relate to our own internal Regimen, and Statutes by which we are connected to the Constitution in Church or State.

Now what is said on the other Side in Favour of the Alteration?

A Public Attack was made in the House of Commons upon our Subscription. It had not one Advocate. The Friends, and even the Representatives of the University gave it up as indefensible. Our Chancellor intends to recommend an Alteration. The Bishops concur; and all our Friends are alarmed for the Fate of the University.

But notwithstanding all this, under Favour, I will presume to put the following Questions:

Had any of these respectable Personages so far considered the Matter, as to form to themselves just and adequate Notions of the *Intention* of the University? Did they not, without farther Reflection, take for granted, that the Subscription implied a *positive Assent* to the Truth of the Doctrines contained in the Articles? Must they not be convinced upon mature Consideration, and upon the Evidence produced in the Case, that the University never required any such Thing? Can they blame the University for retaining the antient Test, till stronger Reasons are produced for the Alteration of it, than have yet been laid before them? Ought they to be required to make Innovations, merely in Compliance with the  
Temper

Temper of the Times, when they may be thought incompatible with their Duty, and productive of worse Consequences than they are intended to prevent?

I own myself to be under no Panic at having the Matter brought into Parliament. We shall have an Opportunity given us of making our Plea more Public; and should it not be approved, which is a Supposition I am not willing to make, I cannot think that the Parliament will proceed so far as to enjoin any Test that will destroy or injure our Connection with the Church of England, as by Law established. Nor can I believe that the Majority of either House will ever concur in any Project to weaken the *Fences* of our Ecclesiastical Constitution, till they mean to alter it in its *Fundamentals*. When that Day comes the University must share the same Fate with the Church. In the mean Time I rely upon the Legislature for our *Security* as well as *Direction*. It is undoubtedly their Province and not ours to make Alterations, as in their Wisdom they shall judge proper, (whether we think them for the better or the worse) in Matters wherein the Church of England is as much concerned as the University. Our Obedience is due *in omnibus* LICITIS ET HONESTIS.



T H E E N D.

